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In re Application of: **Wolf et al.** Docket No. WRAIR 95-01B

Serial No. **09/479,877** Examiner: **Portner**

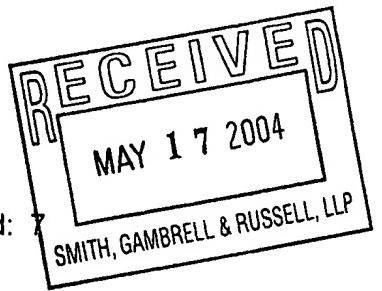
Filing Date: **January 10, 2000** Art Unit: **1645**

Title: **Transformed Bacteria Producing CS6 Antigens as Vaccines**

VIA FACSIMILE TRANSMISSION TO (703)308-5065 to

Commissioner of Patents
Customer Service Center
Office of Patent Publication
ATTENTION: Ms. Darlene Lyon
Alexandria, VA 22313-1450

No. pages transmitted:



Letter

Applicants received an Office communication dated 4/21/2004, wherein the Office communication coversheet (PTO-90C) references the above-identified patent application; however, the document accompanying it does not relate to Applicants' application. The accompanying document relates to a different patent application (S.N. 09/540,547). A copy of the communication received is provided herewith.

Because payment of the Issue Fee for the above-identified patent application had already been made (on 2 February 2004), a call was placed to the USPTO, Customer Service Center Office of Patent Publication ((703)305-8283) on 5 May 2004 to bring this communication to their attention, inquire about what communication, if any, may have been intended for Applicants, and to request guidance as to how to proceed. Ms. Darlene Lyon of the Customer Service Center Office checked her records as to the status of the above-identified patent application and indicated that her records show that formal drawings were not received by the USPTO. Ms. Lyon indicated that she was unable at this time to forward a copy of a USPTO record indicating that formal drawings were not received. Ms. Lyon was informed that Applicants records show that formal drawings had, in fact, been submitted to the USPTO on 31 December 2003.

In view of the above, Ms. Lyon advised that Applicants submit a document to the USPTO explaining the circumstances described above and stating that formal drawings had been submitted. She advised that a copy of the drawings and any evidence of receipt of the drawings by the USPTO also be provided with the document. Ms. Lyon advised that these documents be submitted to her attention at the above fax number.

Although Applicant has no record indicating that the USPTO did not receive the formal drawings submitted, in an effort to expedite the issuance of the above-identified patent application, this letter along with a copy of the formal drawings as submitted to the USPTO on 31 December 2003 and a copy of the USPTO date-stamped post card is transmitted herewith per Ms. Lyon's advice.

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Applicants respectfully request that a copy of the document intended by the USPTO to accompany the PTO-90C received by Applicants be sent to Applicants for their records.

Applicants wish to thank Ms. Lyon for her time and assistance in this matter.

Applicants respectfully request that the above-identified patent application be passed to issue. Applicants believe that no fee associated with this communication is required. However, in the event that the Commissioner finds that a fee is required, the Commissioner is authorized to charge any additional fee required to Deposit Account No. 21-0380.

Questions relating to this communication may be directed to the undersigned at (301)619-7808.

Respectfully submitted,

Elizabeth Arwine

Date: 6 May 2004

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